G. R. S. 58]

Previous references.

CS 306-12-20.

1914.15

(Contd)

File No. 230-(4)

Serial Nos. 1-11

Later references.

CS 213-17 (1-26/28)

Preserve for 7/8/26

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-11

Part B for Sept 1915.

SUBJECT.

System of having a single honorary Magistrate for Dwellings

---

11) To the D.C. Dwellings 940 of 1.9.15 — states that it is unexpedient to introduce this system.

GPB—10,000—23-3-15

1979

G.R.S. 11] 1914-15

GENERAL AND REVENUE SECRETARIAT.

(Cb)

NOTES.

File No. 230-14

FILE HEADING.

System of having a single honorary Magistrate for Tumkur

From

~~The~~ D. M^r K. R. Srinivasaraya
Dist. Magistrate, Tumkur

D.O. No. 166 Dated 7-12-1914 Received 17-12-1914

Diary No. J 1979	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that M^r C. Narayana Rao, Retd Asst Com^r, is willing to serve as an Hon: 1st Class Magistrate and add that, if the scheme of a single Hon: Magistrate commends itself to Govt, M^r Narayana Rao may be given the establishment recommended for the Tumkur Bench as also a conveyance allowance of Rs 30/- per mensem.

NOTES AND ORDERS.

1) First Member's note on the D.O. letter:

"To be separately dealt with.

" Notes about a single magistracy. Where is it? (Sd) H.V.N.

By 14.1.15.

NOTES—First Sheet.

GPB—35,000—15-6-12

G. R. S. 12]

1979

General and Revenue Secretariat. | Cl. File No. 230 of 1914-15

Serial No.

F

Was linked to Cls 157 of 1914 & was detached by him to be dealt with on 14-6-15

2) The note referred to by the First Member will be found on page 20 of Comb. Collection 306 of 1912. The system prevailing in Bellary is referred to on pages 26 & 27 of the same collection.

Submitted -

Kg. 116
25/1/15

3) Blocks of Magistrates have already been appointed for the Tumkur town Sub[d] powers.

Kg.
14.6.15

4) If approved, the opinions of the District Magistrate and the Chief Comb. will be called for.

Kg 15/6

First Member

5) Ask Hon. K.R.Sr. Iyengar Dewan officially whether he still considers this necessary. If so, we may take further opinions -

21/6/15

21/6

Draft Kg 22/6

6) Draft d.o. sub[d].

Kg. 7/7/15

7) Issue Kg 7/7

Cls 22/6

NOTE—Contn. sheet.

GPB—25,000—2-11-14

205

(3)

G. R. S. 12]

General and Revenue Secretariat.

C/o File No. 230 of 1914-15

Serial No. 2

To Mr K. R. Srinivasengar, Dist. Mgte, Tumkur

D.O. No J102 Dy 9.7.1915

Enquires if he still considers the system of having a single Hons: Mgte necessary.

3

From the Same Offr

No 34 Dy 20.7.1915

States in reply that he still considers it worth while having the appointment of a single Hons: Mgte with 1st class powers in lieu of a Bench in places where competent and reliable retired officers are available for the honorary work

Receipt acknowledged on the D.O

"Let me see the file before

put up (sd) D.M.N

Dy 23.7.15

8) Sub. May the opinion of the remaining five Dist. Mgtes and of the Chief Court be called for?

Kg. 24.7.15

9) Sub submits draft as

Es 24/7

Secretary 10) Please submit to First Member with

C/o 26/7

a draft as per para 8.

Draft 26/7

Es 26/7

11) Draft sub.

Kg. 27.7.15

12) May be approved

Es 29/7

First Member 13) Draft added and approved by First member 29.7.15

14) Issue Es 30/7

First H. 5/8

NOTE—Contn. sheet.

GPB—05.000-2-1915

582

(4)

G. R. S. 12]

General and Revenue Secretariat. | File No. 230 of 1914-15

Serial No.	
4	To Hon'ble Rep's Hon, Chief Court.
	The Dt. Mgts of Bangalore, Mysore, Hassan, Shimoga & Kadur
	No J406-11 Dy 31.7.15
	Calls for their opinion on the desirability & usefulness of having a Single Honorary Mgte either in place of or in addition to Benches.
5	From the Dist. Mgte, Shimoga. No 64/512 Dy 2/8/15
6	—— , Bangalore, No 95 Dy 3.8.15
7	—— , Kadur, No 73 Dy 4.8.15
8	—— , Mysore, No 138 Dy 9.8.15
9	—— , Hassan, No 10 Camp Dy 12.8.15
10	From Hon'ble Rep's Hon, Chief Court - No 995/70 Dy 12.8.15
	Furnish the opinion called for.
	S/Sub.
	16/8. 16) From the opinions furnished, it appears
	25/8/15 that the Dt. Magistrates and the Judges
	26/8 of the Chief Court are not in favour of having a single individual as Honorary Magistrate with 1st class powers. The question of getting a regular supply of high character, probity, and capacity seems to be the chief difficulty. The District Magistrate of Mysore considers that there is no necessity for making the appointment, and that the 1st class Magistrate can not be relied

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

582

(5

G. R. S. 12]

General and Revenue Secretariat. | C/S File No. 230 of 1914-15

Serial No.

to have more work than they can do now.

I submit the proofs of the Chipawat-point-out-mat for trial by Honorary Magistrate. This case ~~is~~ but which can be tried above sitting but ~~not~~ first class cases are not of that kind.

17) If approved, the Subject-~~matter~~ may be dropped.

Eg
26/8

First Member)

18) Has the reply by the Junior Dy. M. made officially? If so, pass proceedings. Otherwise the matter may be dropped & the Dy. M. informed.

29/8/15 over 30/8

19) The Communication was only made demi-officially. Please put up draft.

Eg
30/8

20) Draft d.o. reply is submitted.

Eg.
31/8/15

31/8

21) Issue

Eg
31/8

As
5/9/15

9/9

NOTE.—Continue sheet.

GPB—20,000—30-6-15

582

(b

G. R. S. 12]

General and Revenue Secretariat. | c/f File No. 230 of 1914.

Serial No. 11

To Mr. K. R. Srinivasa Iyengar.

D.C. Tumkur g.9408/1-9-15

States that it is inexpedient to introduce the system of having a single stone staple fitted in place of or in addition to brackets as at present constituted

NOTE—Contn. sheet.

GPB—20,000—30-6-15

H 1979

Office of the Deputy Commissioner,

Tumkur District,

Dated, Tumkur, the 7th December 1914.

DIARY No. .....
1916-10-15
SECTION: C5
FILE: 157-14 23
SERIAL: 31

Dear Mr Narasimharao

In inviting your reference to my official letter No. 313 of this date regarding the constitution of the Bench Court at Tumkur, I desire to add the following to what is contained in the letter.

Of the marginally noted 4 retired Assistant Commissioners in the Tumkur Town, I have recommended only two Messrs. C.Seshadri Iyengar and Hemahanumanthia for the Bench. The other two Messrs C. Narayana Rao and T. N. Mir Kamaluddin Ali Khan have not been included for the reason that these gentlemen when I consulted them expressed their disinclination to serve on the Bench.

1. Mr. C. Seshadri Iyengar
2. " T. Hemahanumanthia
3. " T. N. Mir Kamaluddin Ali Khan
4. " C. Narayana Rao

Mr. C. Narayana Rao, while declining to be nominated as a Bench Magistrate, expressed his readiness to serve as an Honorary 1st class Magistrate and do any work that may be assigned to him in such capacity without claiming any remuneration.

As the Government are aware, the scheme of Honorary Deputy Collectors has been tried with success in Madras; and I don't see why we should not give the system of a single Honorary Magistrate (instead of a Bench) a trial in Mysore, if the circumstances are favourable for trying such an experiment. If the Government are inclined to view the question favourably, it seems to me that they cannot do better than accept the offer of Mr. C. Narayana Rao to serve the Government and public in an Honorary capacity as a first class Magistrate. The members of Government know Mr. C. Narayana Rao so well that it will be unnecessary for me to say anything about his capacity or character. Though I have not personally come into contact with him much at any time, I have heard of him as a very capable, and thoroughly

(8

thoroughly conscientious Revenue Officer and Magistrate and I have therefore every hope that he will give satisfaction to the public and to the Government in the discharge of the duties that he may be entrusted with if his offer is accepted. One additional reason for my recommending the proposal for the favourable consideration of Government is that there is, at present, only one first class Magistrate at Tumkur--Mr. Narasinga Rao Purnaiya-and that the need for an additional Magistrate with first class powers is strongly felt. The appointment of Mr. C. Narayana Rao as an Honorary First class Magistrate will, in the circumstances, be highly useful and welcome, as relieving the congestion of work in the Treasury Assistant Commissioner Magistrate's Court and affording him some relief which he requires badly to enable him to devote more attention to his work in the Treasury. If the above proposal meets with the approval of Government, the appoint-ment may be sanctioned tentatively for a year and Mr. C. Narayana Rao may be allowed the same establishment as I have recommended for the Bench of Magistrates and he may be also given a conveyance allowance of Rs. 30/- per mensem so that he may not be put out of pocket by the appointment.

For obvious reasons, I have considered it desirable to address you demi-officially in the matter instead of referring to it in my official letter: and I shall be obliged by your kindly placing it before Government for their consideration and orders.

Yours sincerely

Wilmans-a

To

D. M. Narasinga Rao, Esqr., B.A.,B.L.,

Offg. Secretary to Government,

General & Revenue Departments,

B A N G A L O R E.

9)

To be sequenced
as it was.

I note the advert
of Apple Maps and
Microsoft

Pages 20 + 27 re
Rights in
CS 30872

14/9/15

(40

G. R. S. 26]

Ch File No. 230-14

Serial No. 2

Diary No. of letter replied to

D.O.
No. 1102.

General and Revenue Secretariat
( )
, *the* 191

To

Date of issue 9/7/1915.

Signed by Mr. G. Srinivasa Iyr

Dear Sir,

With refer to your ~~letter~~ d.o. letter no 166 dated the 7th Dec 1916 suggesting that the system of having a single Honorary Magistrate instead of a Bench may be given a trial here, I am desired to enquire if you think consider the system necessary now that Benches of Magistrates have been established at Tumkur and other important Headquarters Stations.

Yrs sincerely

over

SUBJECT.

To K. R. Srinivasaiya Esq M.A.
Dist. Mgte, Tumkur.

8/7/15

(11

D.O. No. 30

J 205-

Cts 230-14-2

Office of the Deputy Commissioner,

Tumkur District,

Dated, Tumkur the 20th July 1915.

Dear sir,

With reference to your D.O. No.J.102/cts.230-14-2 dated the 9th instant I have to state that I still consider that instead of constituting a Bench of Magistrates, it is worthwhile to try the appointment of a single Honorary Magistrate with 1st class powers in places where competent and reliable retired officers or other gentlemen are forthcoming to undertake the work in an honourary capacity.

Yours sincerely,

D. M. Narasinga Rao, Esqr., B...,B.L.,

Secretary to Government,

General Department,

BANGALORE.

G. R. S. 26]

SUBJECT Calling for opinion on the proposal of the D.M. Tumkur, to introduce the system of a single Hon'y Magy.

Diary No. of letter replied to — — —

Confidential

General and Revenue Secretariat

( )

, *the* 191 .

Section C

File No. 230-M

Serial No. 4

No. J 406-11.

Date of issue 31/7/1915

Signed by Mr G. Srinivasa Iyer

To 1) The Registrar, Chief Court

2) The District Magistrate,

Bangalore, Mysore,

Hassan, Shimoga, Kadur

Sir,

I am directed to state that a proposal has been made by the Dist. Magistrate of Tumkur to introduce by the system of having a single Honorary with 1st class magisterial powers Magistrate instead of a Bench

P.T. over.

Civil 30/7/15

(3)

at present, in places where competent and reliable retired officers or other gentlemen are forthcoming for the work.

I am to request you to 1) forward Govt with the opinion of the Chief Court

2) furnish Govt with your opinion

on the above proposal desirability & usefulness of having such honorary magistrates, either in place of or in addition to benches as at present constituted.

I have &c

Sd 29/7

for Offg Secy to Govt

29/7/15

Leg. Dept
27.7.15

List of enclosures.

Copied by

Examined by

GPB—100,000—29-7-11

1915-16.

From

The District Magistrate,
Shimoga.

To The Secretary to the Government
of Mysore,
General Department,
Bangalore.

Dated 2nd August 1915.

Despatched

Received

General No. 64
No. J.1/2

Enclosure No.

With reference to his confidential letter No.J.406-11/Cts 230-14-4 dated 31st July 1915 gives opinion on the desirability of appointing Honorary Magistrates of the first class in place of the Bench at present.

CONFIDENTIAL.

No. 64
J. 12

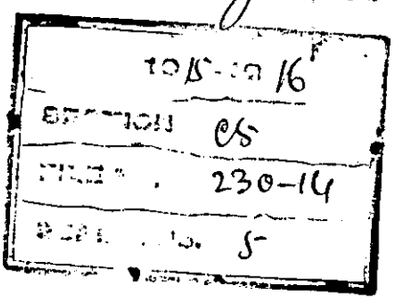
Office of the District Magistrate,
Shimoga,
Dated Shimoga 2nd August 1915.

III Dept
3/8
Fr 3/8

From

K. Matthan, Esquire., B.A.,
District Magistrate,
Shimoga.

DIARY No. J. 325



To

D.M. Narasinga Rao, Esquire., B.A.B.L.,
Secretary to the Government of Mysore,
General Department,
Bangalore.

Sir,

With reference to your confidential letter No.J.406-11/Cts 230-14-4 dated 31st July 1915 calling for my opinion as to the desirability of appointing Honorary Magistrates of the first class, I have the honor to state that in my opinion it is generally undesirable to give high powers to single individuals who are not paid servants of the Government. When Magisterial powers are given to a body of men such as a Bench of Honorary Magistrates, there is every probability of their being exercised in a proper and impartial manner; but the position would be very different if a single individual who is not a paid servant of Government, and whose sense of responsibility is consequently somewhat limited should be invested with the same powers

Such investment of powers may however be quite unobjectionable and even desirable in certain exceptional cases where men of high character and probity (such as retired high officials of Government Retired Advocates of good standing and repute etc) are available for such honorary duties and possess sufficient physical and mental vigour to undertake the same. In such cases, appointments should be in addition to the usual benches as at present constituted.

I have the honor to be,
Sir,
Your most obedient servant,
K. Matthan
District Magistrate,
Shimoga.

C.N.R.

From

The District Magistrate
Bangalore District

To

The Secretary to the Govt
General Department

Dated

Despatched 5-8-15

Received

General No. 1795.

No.

Enclosure No.

Expresses opinion of the District Magistrate B' wre in the matter of the appointment of a suple Hon Magistrate with 1st class Magisterial Powers instead of a Bench

(5)

III Order 6/V

CONFIDENTIAL

J95

Office of the Deputy Commissioner, &
District Magistrate,
Bangalore District.

Dated Bangalore, 3rd August 1915.

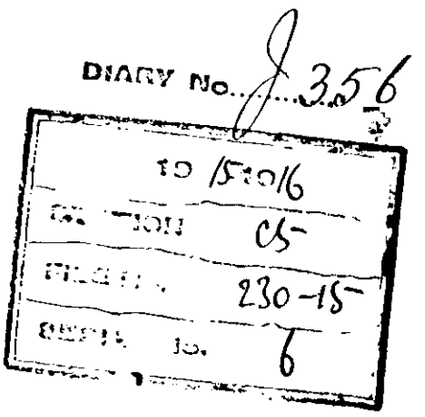
5

From

K. Chandy, Esquire, B.A.,

Deputy Commissioner &
District Magistrate,

Bangalore District.



To

D.M.Narasinga Rao, Esquire, B.A.,B.L.,

Secretary to the Government of Mysore,

General Departments,

Bangalore.

Sir,

With reference to your letter No. J. 406-11/Cts. 230-14-4 dated the 31st July 1915 requesting to furnish my opinion regarding the appointment of a single Honorary Magistrate with 1st Class Magisterial powers instead of a Bench, I have the honour to state that it is difficult to give an opinion in this matter without some experience. But if the system has been tried elsewhere and has worked satisfactorily it might also be tried here tentatively, for 2 or 3 years. It may, then, be made permanent if found to work satisfactorily,

I have the honour to be,

Sir,

Your most obedient servant,

K. Chandy

Deputy Commissioner &
District Magistrate
Bangalore District.

AS

Confidential

GPB—100,000—29-7-14

1915-16.

From The District Magistrate
Kadur Dist.

To The Secretary to Govt.
Genl Dept.

Dated 4 3 August 1915.

Despatched

Received

General No. 73.

No.

Enclosure No. —

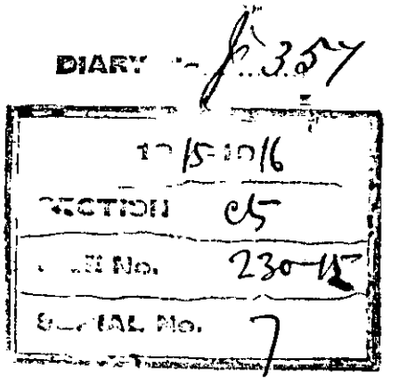
Stating that it is desirable to have an honorary magistrate with 1st class magisterial powers in addition to the Benches as at present constituted

16 Confidential.

Office of the District Magistrate,

Kadur District,

Dated Chikmagalur, 4th August 1915.



From,

K. Krishna Iyer, Esquire.,

District Magistrate, Kadur District.

To,

D. M. Narasinga Rao, Esquire., B.A., B.L.,

Offg. Secretary to the Government of His Highness

the Maharaja of Mysore, General Dept.

Bangalore.

Sir,

With reference to your letter No. J. 406-11/Cts. 230-14-4 dated 31st July 1915, requesting opinion in the matter of having a single Honorary Magistrate with 1st class Magisterial powers &c, I have the honor to state that it is desirable to have an honorary Magistrate with 1st class Magisterial powers in addition to benches at present constituted, wherever competent and reliable retired officers or other gentlemen are available for the work.

I have the honor to be,

Sir,

Your most obedient Servant,

K. Krishna Iyer

District Magistrate,

Kadur District.

C.M.K.

GPB—100,000—29-7-14

191

From

The Deputy Commissioner
Mysore District.

To

The Secretary to
the Govt of Mysore
General Dept

Dated

Despatched 9.8.15.

Received

General No. 138
No.

Enclosure No.

Submits opinion in the matter
of having a single honorary
Magistrate with 1st class magisterial
powers.

17

CONFIDENTIAL.

Office of the District Magistrate,

Mysore District.

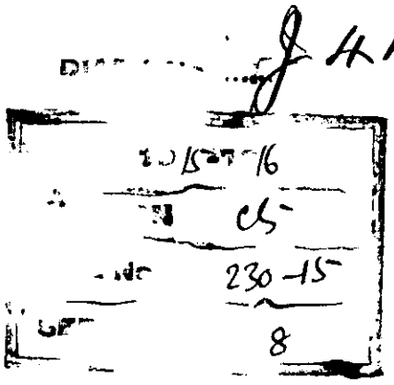
Dated, Mysore, 9th August 1915.

From

A. Subramanya Iyer, Esquire., B.A.,

District Magistrate,

Mysore District.



To

D.N. Narasinga Rao, Esquire., B.A. B.L.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

General Department,

Bangalore.

Sir,

Adverting to your letter No. J.406-11/Cts. 230-14-4 dated 31st July 1915, calling for my opinion in the matter of having a single Honorary Magistrate with 1st class Magisterial Powers instead of or in addition to a Bench as at present, I have the honor to state that a Bench is much less liable to be won over than an iddividual. Further the first class Magistrate in charge of the Revenue Sub Division cannot be said to have more work than they can do. For the relief of the City Magistrate Mysore there is already the Bench of Honorary Magistrates with said class Powers. There is no necessity to appoint anywhere in this -- District Honorary Magistrates with 1st class Powers.

I have the honor to be,

Sir,

Your most obedient servant.

Assistant Commissioner,

For District Magistrate,

Mysore District.

(ABSENT FROM STATION).

III Draw 1678

Confidential GPB—100,000—29-7-14

1915-16.

From

B. Ramaswamaiya Esquire, B.A, B.L.
District Magistrate
Hassan

To

D. M. Narasinga Roo Esquire, B.A, B.L.,
Secretary to Govt. of H.H. the Maharaja of Mysore, Genl. Dept
Bangalore

Dated 12th August 1915.
Despatched 13th
Received Camp H. Narsipur

General No. 10
No. Camp
Enclosure No. Nil

Subject

Furnishing opinion on the proposal to have a single magistrate with 1st Class magisterial powers instead of a Bench of Magistrates as at present.

(8)

District Magistrate's Court
Hassan
Dated 12th August 1915
Camp Holé-narsipur

DIARY No. J.472

10/5-10/16
C5
230-14
9

From,

B. Ramaswamaiya Esqr. B.A. B.L.,
District Magistrate
Hassan

To,

D. M. Narasinga Rao Esquire B.A. B.L.,
Secretary to the Government
of His Highness the Maharaja
of Mysore
General Department
Bangalore

Sir,

With reference to your letter no: J.406-11 / C5 230-16-4 dated 31st July 1915 Calling for my opinion on the proposal to have a single magistrate with 1st class magisterial powers instead of a Bench of magistrates as at present, I have the honour to state as follows:—

The object of the institution of Bench Courts has been, as indicated

P

indicated in Government order No.
J. 3203-14/Ch- 202-07-4 dated 19th April 1909,
to give relief to judicial officers
in places where retired officers and
other qualified gentlemen - are
- available - and are willing to place
their honorary services - at the
disposal of the State. The desirability
of having Benches of Honorary Magistrates
for the disposal of petty Criminal
work in the Cities of Bangalore and
Mysore was represented to Government
from time to time by the members
of the Representative Assembly, and
the suggestion having commended
itself to Government, the scheme
was - at first - introduced in the
two principal Cities of the State
and the system has been in
existence there for the past 5 or 6
years. But it has only quite
recently been introduced into
some of the other District Head
Quarters towns, and it appears

to

to me that the working of the system -and its results- have to be watched for some time before any further extension of it is taken up for consideration. The institution of Courts of single Honorary Magistrates with 1st class powers either in place of, or in addition to, the Benches as at present constituted does not in my opinion appear desirable at present, nor are they likely to prove of any real use. Even as the rules stand at present there is provision for the presence on the bench, of a Magistrate with the higher Magisterial powers, and it is laid down that the Magistrate with the highest powers present at a sitting shall be the Chairman. For honorary work of such im- portance involving the exercise

of

T. 13203-14
Cs-202-07-4
Dy 19.4.09

of magisterial powers it seems to me best to have a Bench, and the institution of a Court with a single magistrate with such high powers viz; of the 1st Class does not ~~seem expedient,~~ at any rate, at present.

Having regard to the foregoing circumstances I beg to state that I am not in favour of the proposal in question.

I have the honour to be,
Sir,

Your most obedient Servant

J Ramaswamy

District Magistrate
Kasaragod

MPL

995/10

22

CHIEF COURT OF MYSORE,

Bangalore, 12th August 1915.

DIARY No. J 582

1915-1916
JUDICIAL SECTION C5
FILE No. 230-14
SERIAL No. 10

FROM

N.T.Gopaliengar, Esq., B.A., L.B.,
Registrar of the Chief Court of Mysore.

TO

D. M. Narasinga Rao. Esq., B.A., B.L.,
Secretary to the Government of Mysore,
General Department.

S i r ,

Adverting to your letter No: J. 406-11/Cts.230-14-4 dated the 31st July 1915 (confidential) requesting to favour Government with the opinion of this Court on the desirability and usefulness of having a single Honorary Magistrate with 1st Class Magisterial powers either in place of, or in addition to Benches as at present constituted, I am directed to state that the Judges find some difficulty in discussing the proposal in the absence of any statement of the reasons for which it is put forward: so far as they can judge it is not probable that any regular supply of can be obtained anywhere except perhaps in Bangalore of gentlemen who are likely to give satisfaction to the Government and the public as 1st class Magistrates and who will be willing to give up so much of their time as may be necessary for the regular and expeditious trial of the important cases which fall to be tried by Magistrates of that grade. In any event it will be necessary to make more appointments than one in each place, for an honorary magistrate is his own master and can attend the court or not at his own convenience, and if work is to be done regularly there must be enough magistrates to ensure that one at least will be available every court

day

(23

day. That being so it would seem that they might better form a Bench than be required to sit singly because it is rather much for the Government to ask one man to sit constantly trying unpleasant cases for nothing; whereas with a Bench, each Magistrate has less attendance, and the fact of sitting with others is less wearisome than sitting alone.

Thus in order to make any use of Honorary First Class Magistrates it will be necessary to find a place where a First Class Bench can be constituted, and that the Judges think would at present be only in Bangalore, or possibly in Mysore also. And they are not aware that anything would be gained from the point of view of the administration of Justice by substituting a Bench of honorary Magistrates for the present City Magistrates in those towns.

If the Deputy Commissioner can find a supply of Magistrates there would be no particular objection to employ them, but it seems doubtful if the supply will be regularly maintained; here and there may be men who would like the work, but probably many of them would soon tire of it and the supply, it is apprehended, would not be maintained.

For trial by honorary Magistrates those cases are best which can be tried at one sitting, and most of the first class cases are not of this kind.

The Judges are doubtful whether the proposal can be carried into effect successfully and are not prepared to recommend that it be given a trial unless it is shewn that there is a crying need for more 1st class magistrates.

I have the honor to be,

S i r ,

Your most obedient servant,

K. Gopalan

Registrar.

h.C.C

3118

(24

G.R.S. 26]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section 15
File No. 230-14
Serial No. 11

General and Revenue Secretariat

( )

, *the* 191 .

No. J 940.

Date of issue 1/9/1915.

To

Signed by M. G. Srinivasa Iyer,

Dear Sir,

With reference to correspondence ending with your d.o. letter no. 34, dated 20th August last, I am desired to inform you that after considering the Chief Court and some of the other Dist. Mgts. Govt. consider that it is inexpedient to introduce the system of a Bench Honorary Magistrate.

P.T. over.

Andy 3118

25-1)

either in place of or in addition
to benches as at present constituted.

Yrs sincerely

GS

31/8

To N. R. Srinivasanujan Esq M.A.

Dist Mgte, Tinnevelly.

GS
31/8

List of enclosures.

Copied by

Examined by

GPB—20,000—14-2-14